

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re	Chapter 11
ACandS, Inc.	Case No.: 02-12687 (JKF) Re: D.I. 3700
Armstrong World Industries, Inc.	Case No.: 00-04471 (JKF) Re: D.I. 10760
Combustion Engineering, Inc.	Case No.: 03-10495 (JKF) Re: D.I. 3440
The Flintkote Company	Case No.: 04-11300 (JKF) Re: D.I. 6255
Kaiser Aluminum Corp.	Case No.: 02-10429 (JKF) Re: D.I. 10170
Owens Corning	Case No.: 00-03837 (JKF) Re: D.I. 21030
US Mineral Products Company	Case No.: 01-02471 (JKF) Re: D.I. 3937
USG Corp.	Case No.: 01-02094 (JKF) Re: D.I. 12655
W.R. Grace & Co.	Case No.: 01-01139 (JKF) Re: D.I. 27749
Debtors.	

**STATEMENT OF ISSUES AND DESIGNATION OF ITEMS
TO BE INCLUDED IN RECORD ON APPEAL BY
APPELLANT GARLOCK SEALING TECHNOLOGIES LLC**

Garlock Sealing Technologies LLC (“Garlock”), by its undersigned attorneys, hereby submits, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure and Rule 8006-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware, its statement of issues to be presented on appeal and the items to be included in the record on appeal of:

(a) the following orders, opinions, judgments and/or decrees entered by the United States Bankruptcy Court for the District of Delaware (the “Delaware Bankruptcy Court”), per the Honorable Judith K. Fitzgerald, United States Bankruptcy Judge for the Western District of Pennsylvania, sitting by designation as a visiting judge:

Case No./Name	Description of Order and Opinion	Date Entered	Docket Item(s)
<i>In re ACandS, Inc.</i> , Case No. 02-12687 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	3698 & 3697
<i>In re Armstrong World Industries, Inc.</i> , Case No. 00-04471 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	10758 & 10757
<i>In re Combustion Engineering, Inc.</i> , Case No. 03-10495 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	3438 & 3437
<i>In re Flintkote Company</i> , Case No. 04-11300 (JKF)	Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases	10/7/11	6246 & 6244
<i>In re Kaiser Aluminum Corp.</i> , Case No. 02-10429 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	10167 & 10166
<i>In re Owens Corning</i> , Case No. 00-03837 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	21028 & 21027
<i>In re United States Mineral Products Co.</i> , Case No. 01-02471 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	3935 & 3934

Case No./Name	Description of Order and Opinion	Date Entered	Docket Item(s)
<i>In re USG Corp.</i> , Case No. 01-02094 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	12653 & 12652
<i>In re W.R. Grace & Co.</i> , Case No. 01-01139 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	27740 & 27737

(b) the following orders, opinions, judgments and/or decrees of the United States Bankruptcy Court for the Western District of Pennsylvania (the “W.D. Pa. Bankruptcy Court”), per the Honorable Judith K. Fitzgerald, United States Bankruptcy Judge for the Western District of Pennsylvania:¹

Case No./Name	Description of Order and Opinion	Date Entered	Docket Item(s)
<i>In re Mid-Valley, Inc.</i> , Case No. 03-35592 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	2817
<i>In re North American Refractories Company</i> , Case No. 02-20198 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	7246
<i>In re Pittsburgh Corning Corporation</i> , Case No. 00-22876 (JKF)	(i) Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases and (ii) Memorandum Opinion	10/7/11	8488

¹ The Delaware Bankruptcy Court and the W.D. Pa. Bankruptcy Court are sometimes referred to herein together as the “Bankruptcy Courts” and individually as the “Bankruptcy Court.”

STATEMENT OF ISSUES ON APPEAL

Appellant states the following issues on appeal:

1. Whether the Bankruptcy Court erred in denying Garlock access to exhibits to statements under Rule 2019 of the Federal Rules of Bankruptcy Procedure 2019 (the “2019 Exhibits”) filed by law firms representing asbestos personal injury claimants, when such 2019 Exhibits are merely held by the Clerk of Court² and have never been formally sealed from public access. The 2019 Exhibits contain, among other things, the names of asbestos personal injury creditors represented by the law firms in the twelve bankruptcy cases.

2. Whether the Bankruptcy Court erred in holding that Garlock was required to intervene in the bankruptcy cases to obtain access to the 2019 Exhibits.

3. Whether the Bankruptcy Court erred in finding that Garlock does not have standing, either as a member of the public or as a party-in-interest, to intervene in the bankruptcy cases to obtain access to these judicial records.

4. Whether the Bankruptcy Court erred by finding that Garlock would need to reopen the closed bankruptcy cases in order to obtain judicial records that are admittedly retained in the Bankruptcy Court’s files.

5. Whether the Bankruptcy Court erred by refusing to reopen the closed bankruptcy cases for the limited purpose of permitting Garlock access to these judicial records.

² The term “Clerk of Court” means, as applicable depending on context, the Clerk of Court for the Delaware Bankruptcy Court and/or the Clerk of Court for the W.D. Pa. Bankruptcy Court.

DESIGNATION OF THE ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

Following is the designation of items to be included in the record on appeal in four parts:

(1) Pleadings Related to the Orders and Opinions on Appeal – Consists of Appellant’s motions before the Bankruptcy Courts and responses, objections and other pleadings related thereto, as well as the opinions and orders appealed from;

(2) Additional Relevant Items from the Bankruptcy Court’s Docket – Consists of orders and other documents from the cases on appeal that relate to the issues on appeal.

(3) Hearing Exhibits – Consists of documents Garlock tendered for admission into evidence at the March 28, 2010, hearing before the Bankruptcy Courts.

(4) Sample 2019 Statements from Cases on Appeal – Consists of sample, representative verified statements made pursuant to Fed. R. Bankr. P. 2019 from each of the cases on appeal.³

³ The Bankruptcy Court took judicial notice of the existence and content of all verified statements made pursuant to Fed. R. Bankr. P. 2019 from each of the cases on appeal.

Pleadings Related to the Orders and Opinions on Appeal

Appellant designates the items set forth in the table below to be included in the record on this appeal. Each item appears on the docket of one or more of the following cases and is designated by docket number in the respective case, appearing under the respective case column:

In the United States Bankruptcy Court for the District of Delaware:

In re ACandS, Inc., Case No. 02-12687 (JKF) (“**ACandS**”)

In re Armstrong World Industries, Inc., Case No. 00-04471 (JKF) (“**Armstrong**”)

In re Combustion Engineering, Inc., Case No. 03-10495 (JKF) (“**CE**”)

In re Flintkote Company, Case No. 04-11300 (JKF) (“**Flintkote**”)

In re Kaiser Aluminum Corp., Case No. 02-10429 (JKF) (“**Kaiser**”)

In re Owens Corning, Case No. 00-03837 (JKF) (“**Owens**”)

In re United States Mineral Products Co., Case No. 01-02471 (JKF) (“**US Min.**”)

In re USG Corp., Case No. 01-02094 (JKF) (“**USG**”)

In re W.R. Grace & Co., Case No. 01-01139 (JKF) (“**Grace**”)

In the United States Bankruptcy Court for the Western District of Pennsylvania:

In re Mid-Valley, Inc., Case No. 03-35592 (JKF) (“**Mid-Valley**”)

In re North American Refractories Company, Case No. 02-20198 (JKF) (“**NARCO**”)

In re Pittsburgh Corning Corporation, Case No. 00-22876 (JKF) (“**PCC**”)

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
1	Motion of Garlock Sealing Technologies LLC for Orders Authorizing Access to 2019 Statements Filed in this Court and for Related Relief	3639	10698	3380	5606	10009	20954	3878	12596	20653	2770	6944	8096
2	Response Of The Law Offices Of Peter G. Angelos, P.C., Baron & Budd, P.C., Brayton Purcell, LLP, Hissey Kientz, LLP, The Lipman Law Firm, Reaud, Morgan & Quinn, Inc., Thornton & Naumes, LLP, Waters & Kraus, LLP; Weitz & Luxenberg P.C.; And Williams Kherkher Hart Boundas, LLP, To The Motion Of Garlock Sealing Technologies LLC For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3645	10706	3386	5643	10018	20962	3884	12604	26137	2775	6961	8118
3	Joinder Of Weitz & Luxenberg, P.C. In The Response Of The Law Offices Of Peter G. Angelos, P.C., Baron & Budd, P.C., Brayton Purcell, LLP, Hissey Kientz, LLP, The Lipman Law Firm, Reaud, Morgan & Quinn, Inc., Thornton & Naumes, LLP, Waters & Kraus, LLP, And Williams Kherkher Hart Boundas, LLP, To The Motion Of Garlock Sealing Technologies LLC For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3670	10727	3405	5724	10061	20992	3902	12626	26479	2797	7025	8195

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
4	Brief Of Kazan, McClain, Lyons, Greenwood & Harley, Waters & Kraus LLP, Stanley, Mandel & Iola, L.L.P., Simmons Browder Gianaris Angelides & Barnerd LLC, Bergman, Draper & Frockt, Gori Julian, & Associates, P.C., Early, Lucarelli, Sweeney & Strauss, Cooney & Conway, George & Sipes LLP, Lipsitz & Ponterio, LLC, Bifferato LLC, And Montgomery, McCracken, Walker & Rhoads, LLP, In Opposition to the Motion Of Garlock Sealing Technologies, LLC for Order Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3646	10707	3387	5646	10019	20964	3885	12605	26146	2777	6965	8121
5	Joinder Of Motley Rice LLC To Response Of Law Office Of Peter G. Angelos, PC, et al., and Brief Of Kazan, McClain, Lyons, Greenwood & Harley, et al., In Opposition To The Motion Of Garlock Sealing Technologies, LLC, For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3648	10709	3389	5662	10023	20966	3887	12607	26195	2779	6977	8129
6	Joinder And Objection Of The Official Committee Of Asbestos Claimants In The Flintkote, Grace, Narco And Pittsburgh Corning Bankruptcies To Garlock's Motion For Orders Authorizing Access To 2019 Statements And Related Relief	3650	10711	3391	5668	10025	20969	3889	12609	26211	2783	6984	8139

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
7	Response of Reorganized Debtors to Motion of Garlock Sealing Technologies LLC for Orders Authorizing Access to 2019 Statements Filed in this Court and Related Relief	N/A	N/A	N/A	N/A	N/A	20963	N/A	N/A	N/A	N/A	N/A	N/A
8	Response Of Pittsburgh Corning Corporation to the Motion of Garlock Sealing Technologies LLC for Orders Authorizing Accett to 2019 Statements filed in this Court and for Related Relief	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8100
9	Motion Of Garlock Sealing Technologies LLC To Intervene For Limited Purpose Of Seeking Access To Judicial Records	3659	10720	3399	5692	10043	20980	3896	12616	26356	2790	6997	8161
10	Response Of The Law Offices Of Peter G. Angelos, P.C., Baron & Budd, P.C., Brayton Purcell, LLP, Hissey Kientz, LLP, the Lipman Law Firm, Reaud, Morgan & Quinn, Inc., Thornton & Naumes, LLP, Waters & Kraus, LLP; Weitz & Luxenberg P.C.; And Williams Kherkher Hart Boundas, LLP, To The Motion Of Garlock Sealing Technologies To Intervene For The Limited Purpose Of Seeking Access To Judicial Records	3676	10733	3411	5751	10069	21000	3908	12631	26540	2801	7028	8212

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
11	Objection Of Kazan, McClain, Lyons, Greenwood & Harley, Waters & Kraus LLP, Stanley, Mandel & Iola, L.L.P., Simmons Browder Gianaris Angelides & Barnerd LLC, Bergman, Draper & Frockt, Gori Julian, & Associates, P.C., Early, Lucarelli, Sweeney & Strauss, Cooney & Conway, George & Sipes LLP, Lipsitz & Ponterio, LLC, Bifferato LLC, And Montgomery, McCracken, Walker & Rhoads, LLP, To Garlock's Motion To Intervene For The Purpose Of Seeking Access To The 2019 Statements	3677	10734	3412	N/A	N/A	21001	3909	12632	N/A	2804	N/A	N/A
12	Objection Of The Official Committees Of Asbestos Claimants In The Flintkote, Grace, NARCO And Pittsburgh Corning Bankruptcies To Garlock's Motion To Intervene For Limited Purpose Of Seeking Access To Judicial Records	3681	10738	3416	5753	10071	21005	3913	12636	26546	2806	7030	8215
13	Response Of The Reorganized Debtor To Garlock Sealing Technologies LLC's (I) Motion For Entry Of An Order Reopening Bankruptcy Cases For The Limited Purpose Of Seeking Access To 2019 Statements, (II) Motion To Intervene For Limited Purpose Of Seeking Access To Judicial Records, And (III) Amended Motion For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3674	N/A	N/A	N/A	N/A	N/A	3906	N/A	N/A	N/A	N/A	N/A

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
14	Response Of Armstrong World Industries, Inc. To Garlock Sealing Technologies LLC's (I) Motion For Entry Of An Order Reopening Bankruptcy Cases For The Limited Purpose Of Seeking Access To 2019 Statements, (II) Motion To Intervene For Limited Purpose Of Seeking Access To Judicial Records, And (III) Amended Motion For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	N/A	10731	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
15	Amended Motion Of Garlock Sealing Technologies LLC For Order Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3660	10721	3400	5693	10044	20981	3897	12617	26357	2792	6998	8162
16	Response Of The Law Offices Of Peter G. Angelos, P.C., Baron & Budd, P.C., Brayton Purcell, LLP, Hissey Kientz, LLP, the Lipman Law Firm, Reaud, Morgan & Quinn, Inc., Thornton & Naumes, LLP, Waters & Kraus, LLP, And Williams Kherkher Hart Boundas, LLP, to the Motion Of Garlock Sealing Technologies LLC for Order Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3645	10740	3417	5756	10072	21006	3914	12637	26561	2808	7033	8217

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
17	Objection Of Kazan, McClain, Lyons, Greenwood & Harley, Waters & Kraus LLP, Stanley, Mandel & Iola, L.L.P., Simmons Browder Gianaris Angelides & Barnerd LLC, Bergman, Draper & Frockt, Gori Julian, & Associates, P.C., Early, Lucarelli, Sweeney & Strauss, Cooney & Conway, George & Sipes LLP, Lipsitz & Ponterio, LLC, Bifferato LLC, And Montgomery, McCracken, Walker & Rhoads, LLP, In Opposition to the Motion Of Garlock Sealing Technologies, LLC for Order Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3646	N/A	N/A	5750	10068	20999	3907	12630	26539	2803	7029	8214
18	Response Of The Reorganized Debtor To Garlock Sealing Technologies LLC's (I) Motion For Entry Of An Order Reopening Bankruptcy Cases For The Limited Purpose Of Seeking Access To 2019 Statements, (II) Motion To Intervene For Limited Purpose Of Seeking Access To Judicial Records, And (III) Amended Motion For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3674	N/A	N/A	N/A	N/A	N/A	3906	N/A	N/A	N/A	N/A	N/A

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
19	Objection Of Kazan, McClain, Lyons, Greenwood & Harley, Waters & Kraus LLP, Stanley, Mandel & Iola, L.L.P., Simmons Browder Gianaris & Angelides & Barnerd LLC, Bergman, Draper & Frockt, Gori Julian & Associates, P.C., Early Lucarelli, Sweeney & Strauss, Cooney & Conway, George & Sipes LLP, Lipsitz & Ponterio, LLC, Bifferato LLC, And Montgomery, McCracken, Walker & Rhoads, LLP, To Garlock's Amended Motion For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	3675	10732	3410	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
20	Objection Of The Official Committees Of Asbestos Claimants In The Flintkote, Grace, NARCO And Pittsburgh Corning Bankruptcies To Garlock's Amended Motion For Orders Authorizing Access To 2019 Statements And Related Relief	3680	10737	3415	5752	10070	21004	3912	12635	26544	2807	7031	8216

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
21	Response And Objection Of Owens Corning Sales, LLC To (i) Motion Of Garlock Sealing Technologies LLC For Entry Of An Order, Pursuant To 11 U.S.C. §350(b), Red. R. Bankr. P. 3020(d), 3022 And 5010, Reopening Chapter 11 Bankruptcy Cases For The Limited Purpose Of Seeking Access To 2019 Statements And (ii) Amended Motion Of Garlock Sealing Technologies LLC For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	N/A	N/A	N/A	N/A	N/A	20998	N/A	N/A	N/A	N/A	N/A	N/A
22	Response Of Armstrong World Industries, Inc. To Garlock Sealing Technologies LLC's (I) Motion For Entry Of An Order Reopening Bankruptcy Cases For The Limited Purpose Of Seeking Access To 2019 Statements, (II) Motion To Intervene For Limited Purpose Of Seeking Access To Judicial Records, And (III) Amended Motion For Orders Authorizing Access To 2019 Statements Filed In This Court And For Related Relief	N/A	10731	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
23	Objection Of The Law Offices of Peter G. Angelos, P.C.; Baron & Budd, P.C.; Brayton Purcell, LLP; Hissey Kientz, LLP; The Lipman Law firm; Reaud, Morgan & Quinn, Inc.; Thornton & Naumes, LLP; Waters & Kraus, LLP; Weitz & Luxenberg P.C.; And William Kherkher Hart Boundas, LLP, To Garlock's Amended Motion For Order Authorizing Access To 2019 Statements And Related Relief	3682	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
24	Reply Of Garlock Sealing Technologies LLC In Support Of Motion For Orders Authorizing Access To 2019 Statements Filed In This Court And Related Relief	3652	10713	3393	5674	10030	20971	3891	12611	26222	2782	6983	8138
25	Garlock's Hearing Exhibits (Presented in Court on 2/14/11)												
26	Objections Of The Law Offices Of Peter G. Angelos, P.C., Baron & Budd, P.C., Brayton Purcell, LLP, Hissey Kientz, LLP, the Lipman Law Firm, Reaud, Morgan & Quinn, Inc., Thornton & Naumes, LLP, Waters & Kraus, LLP, And Williams Kherkher Hart Boundas, LLP, To Documents Garlock Sealing Technologies LLC Would Introduce In Connection With Its Motion Seeking Access To Rule 2019 Statements	3671	10728	3406	5729	10062	20993	3903	12627	26493	2798	7026	8200

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
27	The Asbestos Claimants Committees' Objections To Exhibits Submitted By Garlock During The February 14, 2011 Hearing	3672	10729	3407	5731	10065	20995	3904	12628	26498	2799	7027	8205
28	Objection Of Kazan, McClain, Lyons, Greenwood & Harley, Waters & Kraus LLP, Stanley, Mandel & Iola, L.L.P., Simmons Browder Gianaris & Angelides & Barnerd LLC, Bergman, Draper & Frockt, Gori Julian & Associates, P.C., Early Lucarelli, Sweeney & Strauss, Cooney & Conway, George & Sipes LLP, Lipsitz & Ponterio, LLC, Bifferato LLC, And Montgomery, McCracken, Walker & Rhoads, LLP, To Garlock's Hearing Exhibits Used On February 14, 2011, For Authorizing Access To The 2019 Statements	N/A	N/A	N/A	5730	10063	20994	N/A	N/A	26495	N/A	N/A	8199, 8201, and 8202
29	Objection of Pittsburgh Corning Corporation to Exhibits Offered by Garlock Sealing Technologies LLC in Support of its Motion for Orders Authorizing Access to 2019 Statements filed in this Court and for Related Relief	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8196
30	Request For Status Conference Pursuant To 11 U.S.C. Section 105(d)	3660	10755	3435	6228	10164	21025	3932	12650	27711	2814	7243	8483
31	Memorandum Opinion	3697	10757	3437	6244	10166	21027	3934	12652	27737	2817	7246	8488
32	Order Denying Motions For Access To 2019 Statements, Denying Motions To Intervene And Denying Motions To Reopen Certain Closed Cases	3698	10758	3438	6246	10167	21028	3935	12653	27740	2817	7246	8488

Tab No.	Description	AC-andS	Arm-strong	CE	Flint-kote	Kaiser	Owens	US Min.	USG	Grace	Mid-Valley	NAR-CO	PCC
33	Order With Respect To Request For Status Conference Regarding The Motion For Access To 2019 Statements	3699	10759	3439	6247	10168	21029	3936	12654	27741	2818	7247	8489

Additional Relevant Items from the Bankruptcy Court's Docket

Appellant designates the additional relevant items set forth in the table below to be included in the record on this appeal. Each item appears on the docket of one or more of the cases on appeal and is designated by docket number in the respective case. The name of the case to which the docket item corresponds appears in the description column.

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
34	26301	Transcript of Hearing held before the Honorable Judith K. Fitzgerald on February 14, 2011, in all 12 cases on appeal. <i>In re W.R. Grace & Co.</i> , Case No. 01-01139 (JKF) (Bankr. D. Del.)
35	26735	Transcript of Hearing held before the Honorable Judith K. Fitzgerald on March 28, 2011, in all 12 cases on appeal. <i>In re W.R. Grace & Co.</i> , Case No. 01-01139 (JKF) (Bankr. D. Del.)
36	3614	Order Granting Debtor's Motion for the Entry of an Order and Final Decree Closing Chapter 11 Case. <i>In re ACandS, Inc.</i> , Case No. 02-12687 (Bankr. D. Del.)
37	3033	Plan of Reorganization. <i>In re ACandS, Inc.</i> , Case No. 02-12687 (JKF) (Bankr. D. Del.)
38	10635	Final Decree Closing Chapter 11 Case. <i>In re Armstrong World Industries, Inc.</i> , Case No. 00-4471 (JKF) (Bankr. D. Del.)

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
39	9116	Fourth Amended Plan of Reorganization. <i>In re Armstrong World Industries, Inc.</i> , Case No. 00-4471 (JKF) (Bankr. D. Del.)
40	3300	Order of Final Decree, <i>In re Combustion Eng'g, Inc.</i> , Case No. 03-10495 (JKF) (Bankr. D. Del.)
41	2752	Order Confirming Plan. <i>In re Combustion Eng'g, Inc.</i> , Case No. 03-10495 (JKF) (Bankr. D. Del.)
42	2590	Plan of Reorganization. <i>In re Combustion Eng'g, Inc.</i> , Case No. 03-10495 (JKF) (Bankr. D. Del.)
43	1693	Order Approving Disclosure Statement and Confirming Plan. <i>In re Mid-Valley, Inc.</i> , Case No. 03-35592 (JKF) (Bankr. W.D. Pa.)
44	2514	Order of Final Decree. <i>In re Mid-Valley, Inc.</i> , Case No. 03-35592 (JKF) (Bankr. W.D. Pa.)
45	20911	Order Closing Chapter 11 Case. <i>In re Owens Corning</i> , Case No. 00-03837 (JKF) (Bankr. D. Del.)
46	19366	Order Confirming Plan. <i>In re Owens Corning</i> , Case No. 00-03837 (JKF) (Bankr. D. Del.)
47	3693	Order Closing Chapter 11 Case. <i>In re United States Mineral Products Company</i> , Case No. 01-2471 (JKF) (Bankr. D. Del.)

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
48	3282	Order Confirming Plan. <i>In re United States Mineral Products Company</i> , Case No. 01-2471 (JKF) (Bankr. D. Del.)
49	12570	Order Entering Final Decree. <i>In re USG Corp.</i> , Case No. 01-2094 (JKF) (Bankr. D. Del.)
50	11688	Order Confirming Plan. <i>In re USG Corp.</i> , Case No. 01-2094 (JKF) (Bankr. D. Del.)
51	7830	Transcript Regarding Hearing Held 6/9/10. <i>In re Pittsburgh Corning Corp.</i> , Case No. 00-22876 (JKF) (Bankr. W.D. Pa.) and Garlock Exs. 121, 132, 147, 165, 174, 178, 203, 245, 327, 356
52	7975	Reaud Morgan Claimants' Reply Brief With Respect to the Modified Third Amended Plan of Reorganization. <i>In re Pittsburgh Corning Corp.</i> , Case No. 00-22876 (JKF) (Bankr. W.D. Pa.)
53	10913	Response in Opposition to Debtors' Motion for an Order Establishing a Proof of Claim Bar Date for Asbestos Personal Injury Pre-Petition Litigation Claims. <i>In re W.R. Grace & Co.</i> , Case No. 01-1139 (JKF) (Bankr. D. Del.)

Hearing Exhibits

Appellant designates the hearing exhibits set forth in the table below to be included in the record on this appeal.

<u>TAB NO.</u>	<u>TRIAL EXHIBIT NO.</u>	<u>DESCRIPTION</u>
54	Motion Ex. A	Affidavit of Paul Grant
55	Motion Ex. B	Order on Motion of the Official Committee of Asbestos Personal Injury Claimants for Entry of a Scheduling Order and Debtors' Motion for Establishment of Asbestos Claims Bar Date, Etc., dated December 9, 2010. <i>In re Garlock Sealing Technologies, LLC</i> , Case No. 10-31607 (GRH) (Bankr. W.D.N.C.)
56	Motion Ex. C	Revised Order Requiring Filing of Statements Pursuant to Fed. R. Bankr. P. 2019, dated October 22, 2004. <i>In re Pittsburgh Corning Corp.</i> , Case No. 00-22876 (JKF) (Bankr. W.D. Pa.)
57	Motion Ex. D	Amended Verified Statement of Baron & Budd, P.C. Under Bankruptcy Rule 2019, dated December 17, 2004. <i>In re Pittsburgh Corning Corp.</i> , Case No. 00-22876 (JKF) (Bankr. W.D. Pa.)
58	Motion Ex. E	Verified Statement of Waters and Kraus, LLP, Pursuant to Federal Rule of Bankruptcy Procedure 2019, dated December 15, 2004. <i>In re Pittsburgh Corning Corp.</i> , Case No. 00-22876 (JKF) (Bankr. W.D. Pa.)
59	Motion Ex. I	Order Granting Motion of Credit Suisse First Boston, As Agent, For Access to Examine Statements Filed Pursuant to Bankruptcy Rule 2019(a). <i>In re Owens Corning</i> , 00-3837 (JFK) (Bankr. D. Del.)

<u>TAB NO.</u>	<u>TRIAL EXHIBIT NO.</u>	<u>DESCRIPTION</u>
60	Motion Ex. J	Order Requiring Compliance with Bankruptcy Rule 2019 and Granting Other Relief, dated September 2, 2004. <i>In re Congoleum Corp.</i> , Case No. 03-51524 (KCF) (Bankr. D.N.J.)
61	Motion Ex. K	Verified Statement of Waters and Kraus, LLP Pursuant to Federal Rule of Bankruptcy Procedure 2019, dated September 13, 2004. <i>In re Congoleum Corp.</i> , Case No. 03-51524 (KCF) (Bankr. D.N.J.)
62	Motion Ex. L	Sample Short Form Tort Complaint
63	Motion Ex. M	Sample Answer by Plaintiffs to Interrogatories and Requests for Production in Asbestos Tort Litigation
64	Motion Ex. O	Verified Statement Pursuant to Fed. R. Bankr. P. 2019 Filed by Motley Rice LLC, dated June 13, 2006. <i>In re Quigley Co., Inc.</i> , 04-15739 (SMB) (Bankr. S.D.N.Y)
65	Motion Ex. B1	Order Granting Motion of Dow Jones & Company, Inc. to Intervene and Unseal <i>Ad Hoc</i> Noteholder Group's 2019(a) Disclosures, dated November 16, 2010. <i>In re Accuride Corp.</i> , Case No. 09-13449 (BLS) (Bankr. D. Del).
66	Ex. 1	Statements filed by objecting asbestos plaintiffs' law firms pursuant to Fed. R. Bankr. P. 2019 ("2019 Statements")
67	Ex. 2	Summary of statements made in 2019 Statements filed by objecting asbestos plaintiffs' law firms

<u>TAB NO.</u>	<u>TRIAL EXHIBIT NO.</u>	<u>DESCRIPTION</u>
68	Ex. 3	2019 Statements filed by Kazan McClain, Brayton Purcell, and Waters & Kraus in <i>In re Plant Insulation</i> and <i>In re Thorpe Insulation</i>
69	Ex. 4	Excerpt from report of the Federal Election Commission (5 pages of 37,194 pages)
70	Ex. 5	Individual Chapter 13 bankruptcy petition of William F. Smith filed on February 4, 2011 in Bankr. D. Del.
71	Ex. 6	869-page extract from claims register in <i>In re American Business Financial Services, Inc.</i> , 05-10203 (Bankr. D. Del.)
72	Ex. 7	News article, "Little Hope for American Business Financial Services investors," <i>Philadelphia Business Journal</i> , dated October 19, 2009.
73	Ex. 8	List of pending cases in federal MARDOC proceeding.
74	Ex. 9	List of pending cases in Texas MDL.
75	Ex. 10	Master ballot of Thornton & Naumes firm, showing names of claimants in <i>In re Pittsburgh Corning</i> and their asbestos-related disease(s).

<u>TAB NO.</u>	<u>TRIAL EXHIBIT NO.</u>	<u>DESCRIPTION</u>
76	Ex. 11	<p>Collection of news articles and letter by Congressman Lamar Smith to the Government Accountability Office:</p> <p>“Toxic Justice,” <i>Dallas Observer</i>, dated August 13, 1999;</p> <p>“Trust Busted,” <i>The Wall Street Journal</i>, dated December 5, 2006;</p> <p>“Cuyahoga Comeuppance,” <i>The Wall Street Journal</i>, dated January 22, 2007;</p> <p>April 29, 2010, Letter from Congressman Lamar Smith, as Ranking Member of the Committee on the Judiciary for the U.S. House of Representatives, to the Governmental Accountability Office, regarding asbestos bankruptcy trusts.</p> <p>“Double-Dippers,” <i>Forbes</i>, dated September 4, 2006; and</p> <p>“New Generation of Asbestos Trusts Encourages Double-Dipping,” <i>Daily Journal</i>, dated June 22, 2009.</p>

Sample 2019 Statements from Cases on Appeal

Appellant designates the additional relevant items set forth in the table below to be included in the record on this appeal. These items are sample statements made pursuant to Fed. R. Bankr. P. 2019 in the twelve cases on appeal. Each item appears on the docket of one or more of the cases on appeal and is designated by docket number in the respective case, appearing in the description column below:

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
77	2683	Federal Rule of Bankruptcy Procedure 2019 Statement of Representation by Robert N. Peirce of Peirce, Raimond & Coulter, P.C. <i>In re North American Refractories Company</i> , Case No. 02-20198 (JKF) (Bankr. W.D. Pa.)
78	2636	Verified Statement of Paul M. Matheny of the Law Offices of Peter G. Angelos, P.C. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re North American Refractories Company</i> , Case No. 02-20198 (JKF) (Bankr. W.D. Pa.)
79	2643	Verified Statement of J. Bradley Smith of Waters and Kraus, LLP Pursuant to Federal Rule of Bankruptcy Procedure 2019. <i>In re North American Refractories Company</i> , Case No. 02-20198 (JKF) (Bankr. W.D. Pa.)

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
80	10781	<p>Verified Statement of F. Marvin Morris, III, Anthony Sakalarios, Charles G. Blackwell, Stacey Lea Sims, Sara Morris Farris and Alison Darsey of Morris, Sakalarios & Blackwell, PLLC in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019.</p> <p><i>In re Owens Corning</i>, Case No. 00-3837 (JKF) (Bankr. D. Del.)</p>
81	10783	<p>Verified Statement of Larry O. Norris of Norris & Phelps, PLLC in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019.</p> <p><i>In re Owens Corning</i>, Case No. 00-3837 (JKF) (Bankr. D. Del.)</p>
82	13988	<p>Verified Statement of Paul M. Matheny of the Law Offices of Peter G. Angelos, P.C. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019.</p> <p><i>In re Owens Corning</i>, Case No. 00-3837 (JKF) (Bankr. D. Del.)</p>
83	3829	<p>Amended Verified Statement of Alan B. Rich of Baron & Budd, P.C. Under Bankruptcy Rule 2019.</p> <p><i>In re Pittsburgh Corning Corporation</i>, Case No. 00-22876 (JKF) (Bankr. W.D. Pa.)</p>

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
84	3840	Amended and Restated Verified Statement of Linda George of George & Sipes, LLP in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re Pittsburgh Corning Corporation</i> , Case No. 00-22876 (JKF) (Bankr. W.D. Pa.)
85	3264	Amended Verified Statement of Steven T. Baron of Silber Pearlman, LLP Under Bankruptcy Rule 2019. <i>In re Pittsburgh Corning Corporation</i> , Case No. 00-22876 (JKF) (Bankr. W.D. Pa.)
86	2389	Verified Statement of Edward Paul Coady of Coady Law Firm Pursuant to Fed. R. Bankr. P. 2019. <i>In re United States Mineral Products Co.</i> , Case No. 01-2471 (JKF) (Bankr. D. Del.)
87	2379	Verified Statement of Patrick C. Malouf of Porter & Malouf, P.A. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re United States Mineral Products Co.</i> , Case No. 01-2471 (JKF) (Bankr. D. Del.)
88	2371	Verified Statement of Paul M. Matheny of the Law Offices of Peter G. Angelos, P.C. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re United States Mineral Products Co.</i> , Case No. 01-2471 (JKF) (Bankr. D. Del.)

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
89	7420	Verified Statement of Shepard A. Hoffman of The Hoffman Law Firm in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re USG Corp.</i> , Case No. 01-2094 (JKF) (Bankr. D. Del.)
90	7547	Verified Statement of Paul M. Matheny of the Law Offices of Peter G. Angelos, P.C. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re USG Corp.</i> , Case No. 01-2094 (JKF) (Bankr. D. Del.)
91	7418	Verified Statement of Benjamin P. Shein of the Shein Law Center in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re USG Corp.</i> , Case No. 01-2094 (JKF) (Bankr. D. Del.)
92	7412	Verified Statement of Suzanne G. Keys of Byrd, Gibbs & Martin, PLLC in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re W.R. Grace & Co.</i> , Case No. 01-1139 (JKF) (Bankr. D. Del.)
93	7415	Amended Federal Rule of Bankruptcy Procedure 2019 Statement of John Ned Lipsitz of Multiple Representation by Lipsitz & Ponterio, LLC. <i>In re W.R. Grace & Co.</i> , Case No. 01-1139 (JKF) (Bankr. D. Del.)

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
94	7411	Verified Statement of Paul M. Matheny of the Law Offices of Peter G. Angelos, P.C. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re W.R. Grace & Co.</i> , Case No. 01-1139 (JKF) (Bankr. D. Del.)
95	2066	Amended and Restated Verified Statement of Paul M. Matheny of the Law Offices of Peter G. Angelos, P.C. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re ACandS, Inc.</i> , Case No. 02-12687 (JKF) (Bankr. D. Del.)
96	1693	Verified Statement of Randy L. Gori of Goldenberg, Miller Heller & Antognoli, P.C. Under Bankruptcy Rule 2019. <i>In re ACandS, Inc.</i> , Case No. 02-12687 (JKF) (Bankr. D. Del.)
97	1692	Verified Statement Pursuant to Fed. R. Bankr. P. 2019 Filed by Margaret Holman Jensen of Zamler, Mellen & Shiffman, P.C. Exhibits Have Not Been Scanned But May Be Accessed By Parties Who Obtain Court Order Authorizing Access. <i>In re ACandS, Inc.</i> , Case No. 02-12687 (JKF) (Bankr. D. Del.)

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
98	7771	Amended Verified Statement of H. Douglas Nichol of Gillenwater, Nichol & Associates in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re Armstrong World Ind., Inc.</i> , Case No. Case No. 00-4471 (JKF) (Bankr. D. Del.)
99	7811	Federal Rule of Bankruptcy Procedure Verified 2019 Statement Representation by James E. Wimberley of McPherson, Monk, Hughes, Bradley, Wimberley & Steele, L.L.P. <i>In re Armstrong World Ind., Inc.</i> , Case No. Case No. 00-4471 (JKF) (Bankr. D. Del.)
100	7636	Federal Rule of Bankruptcy Procedure 2019 Statement Representation by Robert N. Peirce, Jr. of Peirce, Raimond & Coulter, P.C. <i>In re Armstrong World Ind., Inc.</i> , Case No. Case No. 00-4471 (JKF) (Bankr. D. Del.)
101	2575	Verified Statement of Randy L. Gori of Goldenberg, Miller Heller & Antognoli, P.C. Under Bankruptcy Rule 2019. <i>In re Combustion Engineering, Inc.</i> , Case No. 03-10495 (JKF) (Bankr. D. Del.)

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
102	1953	<p>Federal Rule of Bankruptcy Procedure Verified 2019 Statement Representation by James E. Wimberley of McPherson, Monk, Hughes, Bradley, Wimberley & Steele, L.L.P.</p> <p><i>In re Combustion Engineering, Inc.</i>, Case No. 03-10495 (JKF) (Bankr. D. Del.)</p>
103	2568	<p>Verified Statement Pursuant to Fed. R. Bankr. P. 2019 Filed by Margaret Holman Jensen of Zamler, Mellen & Shiffman, P.C. Exhibits Have Not Been Scanned But May Be Accessed By Parties Who Obtain Court Order Authorizing Access.</p> <p><i>In re Combustion Engineering, Inc.</i>, Case No. 03-10495 (JKF) (Bankr. D. Del.)</p>
104	576	<p>Verified Statement of Edward Paul Coady of Coady Law Firm Pursuant to Fed. R. Bankr. P. 2019.</p> <p><i>In re Flintkote Company</i>, Case No. 04-11300 (JKF) (Bankr. D. Del.)</p>
105	577	<p>Verified Statement of Russell L. Cook or Russell L. Cook, Jr. & Associates Under Bankruptcy Rule 2019.</p> <p><i>In re Flintkote Company</i>, Case No. 04-11300 (JKF) (Bankr. D. Del.)</p>

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
106	559	Verified Statement of Patrick C. Malouf of Porter & Malouf, P.A. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re Flintkote Company</i> , Case No. 04-11300 (JKF) (Bankr. D. Del.)
107	5482	Rule 2019 Statement of Contrada & Associates. <i>In re Kaiser Aluminum Corp.</i> , Case No. 02-10429 (JKF) (Bankr. D. Del.)
108	5783	Verified Statement of Paul M. Matheny of the Law Offices of Peter G. Angelos, P.C. in Connection with the Representation of Creditors as Required by F.R.B.P. Rule 2019. <i>In re Kaiser Aluminum Corp.</i> , Case No. 02-10429 (JKF) (Bankr. D. Del.)
109	8805	Sixth Amended Verified Statement of Leslie MacLean of Waters and Kraus, LLP Pursuant to Federal Rule of Bankruptcy Procedure 2019. <i>In re Kaiser Aluminum Corp.</i> , Case No. 02-10429 (JKF) (Bankr. D. Del.)
110	882	Verified Statement of Alan B. Rich of Baron & Budd, P.C. Under Bankruptcy Rule 2019. <i>In re Mid-Valley, Inc.</i> , Case No. 03-35592 (JKF) (Bankr. W.D. Pa.)

<u>TAB NO.</u>	<u>D.I. NO.</u>	<u>DESCRIPTION</u>
111	204	Verified Statement of Jim R. Ross of McCurdy & McCurdy, L.L.P. in Connection with the Representation of Creditors as Required by F.R.B.P. 2019. <i>In re Mid-Valley, Inc.</i> , Case No. 03-35592 (JKF) (Bankr. W.D. Pa.)
112	203	Verified Statement of Scott W. Wert of Foster & Sear, L.L.P. in Connection with the Representation of Creditors as Required by F.R.B.P. 2019. <i>In re Mid-Valley, Inc.</i> , Case No. 03-35592 (JKF) (Bankr. W.D. Pa.)

Dated: October 26, 2011

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